

**RECEIVED
CENTRAL FAX CENTER****APR 09 2007****BEST AVAILABLE COPY****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****IN RE APPLICATION OF: Jung-Chun TSENG****SERIAL NUMBER: 10/042,328****GROUP ART UNIT: 3764****FILED: 01/11/2002****FOR: Transmission for a Swing Exerciser****EXAMINER: DEMILLE, DANTON D****(571) 273-8300****PETITION TO REINSTATE APPLICATION DUE TO FAILURE TO
RECEIVE NOTICE OF ALLOWANCE AND FEE(S) DUE****Dear Sir,**

After searching and noting the status (lapsed) of my application through USPTO website-Patent Application Information Retrieval, I, the applicant hereby contend that the Notice of Allowance and Fee(s) Due was never received from USPTO, and petition to reinstate the above referred application is hereby requested.

I also confirm that the correspondence address was in fact at P.O. Box No.6-57, Junghe, Taipei 235, Taiwan, R.O.C. during the time period the Notice of Allowance and Fee(s) Due was supposed to mail in accordance with the mail date July 01, 2003 as indicated in USPTO website-PAIR.

According to the local agent at my correspondence address who would have checked and handled the office communication routinely on every week, a thorough search and investigation of the file jacket and docket records has been done indicating that the Notice of Allowance and Fee(s) Due was not, in fact received from USPTO. In order to support the fact for failure to receive the Notice of Allowance and Fee(s) Due in question, copies of the docket records maintained by the local agent (2 pages) recording mail delivery received from USPTO during the reasonable period after the date of Office Communication are attached herewith for reference.

In view of the evidence adequately supported, grant of the petition and also re-mail of the Notice of Allowance and Fee(s) Due is respectfully requested.

I hereby declare that we have firsthand knowledge and all statement made herein are true and that all statements made on information and belief are believed to be true.

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SIGNED BY:

The applicant of the above referenced patent:

Name: Jung-Chun TSENG

Signature: 

Date: April 09, 2007

Address all Correspondences to:

Jung-Chun TSENG

P. O. Box No.6-57, Junghe, Taipei 235, Taiwan

TEL: 886-2-3233-9068

FAX: 886-2-3233-7938

E-mail: tjpa.com@msa.hinet.net

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF: Jung-Chun TSENG

SERIAL NUMBER: 10/042,328

GROUP ART UNIT: 3764

FILED: 01/11/2002

FOR: Transmission for a Swing Exerciser

EXAMINER: DEMILLE, DANTON D

(571) 273-8300

STATEMENT BY LOCAL AGENT

Dear Sir,

In view of the status of lapse due to failure response to Notice of Allowance and Fee(s) Due dated July 01, 2003, I Vincent LIN, the local agent who handled the incoming mail for my client Jung-Chun TSENG would like to made the statement as follows:

I hereby confirm that I, Vincent LIN, was at the correspondence address, P.O. Box No.6-57, Junghe, Taipei 235, Taiwan, R.O.C. during the time period the Notice of Allowance and Fee(s) Due was supposed to mail which is indicated as a mail date of "July 01, 2003" in USPTO website-PAIR.

I also declare that I was diligent in checking and handling the incoming mail routinely on every week and the Notice of Allowance and Fee(s) Due in question was not received from USPTO after a thorough search and investigation of the file jacket and the docket records have been done.

In order to support the fact for failure to receive the Notice of Non-Responsive Amendment in question, copies of the docket records maintained by our end (2 pages) recording mail delivery received from USPTO during the reasonable period after the date of Office Communications are attached herewith for reference.

I hereby declare that I have firsthand knowledge and all statement made herein are true and that all statements made on information and belief are believed to be true.

SIGNED BY

The local agent who handled the mail delivery of the Office Communications:

Name: Vincent LIN

Signature: Vincent Lin

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Date: April 09, 2007

Address all Correspondences to:

Jung-Chun TSENG

P. O. Box No.6-57, Junghe, Taipei 235, Taiwan

TEL: 886-2-3233-9068

FAX: 886-2-3233-7938

E-mail: tipa.com@msa.hinet.net

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FAX No.

P. 006

MONTHLY LOG BOOK FOR MAIL DELIVERY FROM USPTO TO P.O. BOX 6-57

Month/ Year: July 2003

Taiwan Intellectual Property Agent Co., Ltd.

Period weekly	PAT	TM	Delivered by	Date	Released by	Date	Contents	Serial No.	Our Ref. No.	Remarks
7/1~7/6/03	X		Vincent	7/9/03	Leung	7/10/03	notice of Allowance	57165,331	42-1513A 6700057	
"	X		"	"	"	"	Filing Receipt	10/459,327	42-1513A 7603050	
7/10~7/16/03	X		Vincent	7/16/03	Leung	7/17/03	"	10/459,327	42-1513A 6700057	
"	X		"	"	"	"	"	10/459,327	42-1513A 6700057	
7/17~7/23/03	X		Vincent	7/24/03	"	7/25/03	"	10/459,327	42-1513A 6700057	
"	X		"	"	"	"	"	10/459,327	42-1513A 6700057	
7/24~7/30/03	X		Vincent	7/31/03	"	8/1/03	"	10/459,327	42-1513A 6700057	
"	X		"	"	"	"	"	10/459,327	42-1513A 6700057	
"	X		"	"	"	"	"	10/459,327	42-1513A 6700057	
8/1~8/7/03	X		Vincent	8/8/03	"	8/9/03	"	10/459,327	42-1513A 6700057	
"	X		"	"	"	"	"	10/459,327	42-1513A 6700057	

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